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At a [illegible] [illegible] and held

[illegible] on Saturday the 30th day of

A.D. 1796 in pursuance of a Requisition

of his Excellency the Governor in his Proclama-
tion, bearing date the May 7 179

James Armstong esquire

Journal for August Sessi

1797

Wm Hendricks Esqr By Cash

Journal of the Senate

At a General Assembly begun and held at Knoxville, on Saturday the thirtieth day of July, one thousand seven hundred and ninety six in pursuance of a requisition from his Excellency the Governor in his proclamation, bearing date the [illegible] day of July one thousand seven hundred and ninety six the following members appeared and took their seats, viz—

Blount county Mr Alexander Kelly ✓
Davidson county Mr Joel Lewis ✓
Greene county Mr Samuel Frazier ✓
Hawkins county Mr Joseph McMinn ✓
Jefferson county Mr George Doherty ✓
Knox county Mr James White ✓
Sullivan county Mr George Rutledge ✓
Sevier county Mr John Clack ✓
Washington county Mr John Tipton ✓

On motion of Mr White seconded by Mr Tipton Joseph McMinn was appointed Speaker pro tem.

Ordered, that Geo Roulstone & Mathw Bleckenham be clerks, and Tho Brandi door keeper pro tem

The house then adjourned until Monday Morning ten o'clock A.M.

Monday, August 6 1796.

The house met according to adjournment

James Winchester, esqr the Speaker, appeared and took the chair.

Mr. James Ford, the member from Tennessee county, appeared and took his seat.

On motion by Mr. McMinn seconded by Mr. Rutledge, that the following message be sent to the House of Representatives

Mr. Speaker and Gentlemen of the House of Representatives

The Senate is Assembled and ready to proceed to the dispatch of the public Business.

Received from the House of Representatives the following message

Mr. Speaker and Gentlemen of the Senate

This House is also convened and ready to proceed to ~~the~~ business

Mr. Speaker and Gentlemen of the Senate

This House have Nominated Messrs. [illegible] and [illegible] to be a committee with such Gentlemen as you shall appoint to wait upon his Excy the Governor to inform him that the Genl Assembly are ready to receive his communications.

Ordered, that the following message be sent to the House of Representatives,

Mr Speaker and Gentlemen,

The Senate concur with you in appointing a committee to wait on his Excellency the Governor and name on their part Mr Kelly

On motion of Mr White, seconded by Mr Clark the house proceeded to the appointment of two Clerks and a door keeper.

On motion Messrs Lewis & Doherty were appointed to superintend the balloting for two clerks and a door keeper, who having executed the appointment reported, that George Roulstone was unanimously appointed chief clerk, Nathl Buckingham, assistant clerk & Thos Bounds, door keeper.

Recd from the House of Representatives the following Message

Mr Speaker and Gentlemen of the Senat

Herewith is sent to you the communication from the Governor together with other Offica papers sent by him

Which being read were referred to a special committe composed of Messrs Lewis, White & McMinn, & the following message ordered to be returned

Mr Speaker and Gentlemen of the House of Representatives,

The Senate having read the ~~paper of~~ address of the Governor, and the papers accompanying the same ~~having the address of the G~~ have determined to commit the consideration thereof to a special committee, & have named on their part Messrs Lewis, White, & McMinn to act with such gentlemen as you may join

A meſsage from the House of Representatives

Mr. Speaker and Gentlemen,

We propose that a committee of claims be appointed, and nominate on our part Meſs Fort, Blair, & Menefee to act with such gentlemen as you may appoint on your part.

Which being read was concurred with, and the following meſsage ordered to be returned

Mr. Speaker and Gentlemen,

The Senate concur with you in appointing a committee of claims, and name on their part Meſs Doherty & Rutledge

Received from the House of Representatives the remonstrance of Andw. Jackson, which being read, was referred to the committee of claims & returned.

Received also a bill to direct the mode of electing one representative to represent this State in the Congreſs of the United States.

Ordered, that this bill be read, which being read was paſsed the first time & returned.

Received from the House of Representatives
the following message:

Mr Speaker and Gentlemen of the Senate, This House do propose that the General Assembly do convene to morrow at four O Clock in the afternoon in the Representatives Chamber for the purpose of electing two Senators to represent this State in the Congress of the United States which is sent to you for your concurrence

Ordered that the following message be sent to the House of Representatives

Mr Speaker and Gentlemen of the House of Representatives

The Senate concur with your proposition to meet to morrow at four O Clock, for the purpose of electing two Senators to — Represent this State in the Congress of the United States, and nominate Mr David Campbell, Mr William Blount, Mr Wm Cocke, and James White

The Senate have appointed Mr Rutledge to superintend the Balloting on their part

A meſsage from the House of Representatives
Mr Speaker and Gentlemen

We concur with you in referring the papers laid before us by the Governor to a special committee, and have named on our part Meſs. Rhea, Lewis, Montgomery, Newell, Weakley & Conway to act with the gentlemen by you appointed.

Adjourned till tomorrow 9 o'clock A.M.

Tuesday, August 2, 1796

Met according to adjournment

A meſsage from the House of Representatives
Mr Speaker and Gentlemen

This House concur with your meſsage, and on part of this House do nominate Mr Frost to ſuperintend the balloting, with the gentleman by you appointed

Received from the House of Representatives a bill to empower the justices of each county in this state to lay and have the ſame collected a tax for the year 1797; and a bill to eſtabliſh fairs and markets in the county of Greene, each endorsed, "Read the first time and paſsed.

Ordered, that these bills be read, which being read were paſsed the first time

Mr Frazier moved for leave and presented a bill to amend the law respecting the revenue and the treasury department, which being read was passed the first time

Received from the House of Representatives, A Bill to amend an act, "entitled an act ascertaining the number of Judges of the Superior Courts of Law and Equity and fixing their sallaries and directing their Qualification to office passed at Knoxville at an ~~election~~ Assembly begun and held the 28th of march last past;"

Endorsed, read the first time, passed

Ordered that this Bill be read which being read was passed the first time in this House. ~~Received from the House of Representatives~~

A Bill from the House of Representatives providing for the election of electors of a president and Vice President of the United States;" Endorsed read the first time and passed

Ordered that this Bill be read which being read was passed the first time in this House.

Mr Rutledge from the joint ballotting for two Senators to represent this State in the Congress of the United States, reported, that Wm Blount

& Wm Cocke were duly elected Senators —

Received from the House of Representatives a bill directing the mode of electing one representative to represent this State in the Congress of the United States endorsed. Read the second time amended & passed

Ordered, that this bill be read which being read, was amended & passed the second time

A Message from the House of Representatives

Mr Speaker and Gentlemen of the Senate

herewith is transmitted to you a communication from the Governor for your inspection and concurrence to the endorsed reference

Which ~~being~~ read ~~and~~ was referred as above

A message from the House of Representatives

Mr Speaker and Gentlemen of the Senate

This House have ~~entered into~~ made the following Resolve which is sent to you for your ~~concurrence~~ consideration; House of Representatives August 2-1796 Resolved that the Clerk of the Senate, and Clerk of the House of Representatives shall each transcribe a copy of the entry on the Journals of each House respectively of the election of Wm Blount and Wm Cocke Senators to represent this State in the Senate of the Congress of

the United States, which copy shall be
signed by the Speakers and and tested by
the Clerks of each house respectively
which shall be a Certificate to his
Excellency the Governor to Issue credentials
thereupon to the said Wm. Blount and
Wm. Cocke of this election

received
A Bill to amend ~~the~~ line between
Hawkins and Grainger Counties and
for other purposes

Endorsed read the first time past &
Sent to the Senate

Ordered ~~that~~ this bill be read
Which being read the first time &
Rejected

Adjourned till to morrow 9 oClock
A M.

Wednesday, August 3, 1796

Met according to adjournment.

Received from the House of Representatives
A. Bill to amend an act respecting the revenue
and treasury department, endorsed, Read the first

time and passed —

Ordered, that this bill be read, which being read was amended & passed the second time

~~Recd from the House of Representatives~~

~~A Bill to amend the second Section~~

~~Laws Respecting~~

A Message from the Senate ...

Mr Speaker and Gentlemen

Herewith is sent to you the report of the committee to whom was referred the communicating the Governor ~~with~~ entries thereon of What this House have resolved relative thereunto for your communication—

This 3d day of August 1796

Your committee to whom referred the two communications from the Governor do Report 1st That the objects it embraces are now under the consideration of the first assembly in fact and acted upon in part. Respecting the letters from the Secretary at War your committee do recommend, that it be resolved, that the Governor issue proclamation agreeably to the purport of the said letter.

On the second communication, your comm taking into view the actual situation of the fina ces of this state, and considering that the expenditures of the government will be augmented by the present seſsion, are of opinion that it would be improper to make any appropriations for defraying the expences of the road therein mentioned at this time, but that the Governor be authorised to appoint commiſsioners or reviewers to review & report on the road when completed to the next General aſsembly

Received from the House of Representatives the following meſsage

Mr Speaker and Gentlemen

This House have nominated Meſs.rs Rhea Lewis and Outlaw, to be a Committee ~~to prepare~~ with Gentlemen as you shall appoint to prepare an addreſs to the governor on the subject of his two Communications to the General Aſsembly

Ordered that the following meſsage be sent to House of Representatives

Mr Speaker and Gentlemen of the House of Representatives

This House concur with you in appointing a committee to prepare an addreſs to be presented to his Excellency the Governor, in answer to his two communications and name on their part Meſsrs Frazier and McNair

A Meſsage from the House of Representatives

Mr Speaker and Gentlemen of the Senate

This House have resolved the following addreſs be presented to Mr Wm Cocke

Sir by a vote of the General Aſsembly Mr Wm Blount and yourself formerly elected Senators to represent this State in the Senate of the Congreſs of the united States are again elected for that purpose the General Aſsembly on Behalf of the Citizens of the State of Tenneſsee expreſs their entire Confidence in the fidelity and integrity of their Senators,

Mr Wm Cocke

That a committee be appointed to wait on Mr Wm Cocke to present the same, & for that purpose have nominated Meſsrs

Hort, and Blair with such Gentlemen as you shall appoint to act, which is sent to you for your Concurrence

Ordered that the following Message be sent to the House of Representatives

The Senate concur with you in appointing a committee to wait on Wm Cocke esqr and present to him the address by you prepared for that purpose and name on their part Mr Lewis

Ordered that the following Message be sent to the House of Representatives

Mr Speaker and Gentlemen of the House of Representatives

The Senate have read for the third and last time, the Bill directing the mode of electing one Representative to represent this State in the Congress of the United States, and have amended it by striking out of the fifth section from the word Representative the words "and if the same be not decided by the said returning officers they shall decide it," which when thus amended the clause will stand thus

Sec 5 Be it enacted that if two or more Candidates have the same Number of Votes the said returning officers shall decide which of them shall be Representative in the same manner as Grand Jurors are by Law drawn for

If you agree to this amendment you will please send two of your members to see it made

Adjourned till 3 o'clock P.M.

Met according to adjournment

On motion, Mr Kelley had leave to absent himself from the Service of this House until Saturday next

Received from the House of Representatives, a bill providing for the election of electors of President and Vice President of the United States, endorsed, Read the second time and passed.

Ordered, that this bill be read, which being read, was amended and passed the second time.

A message from the House of Representatives

Mr Speaker and Gentlemen,

This House concur with the amendment by you proposed to the bill directing the mode of electing one Representative to represent this

State in the Congreſs of the United States,
do nominate Meſs.rs Outlaw & Newell to see
it made.

Which being read, the bill directing the
mode of electing one representative to represent
this State in the Congreſs of the United States
Was read, amended, paſsed the third time
and ordered to be engroſsed

A meſsage from the House of Representatives:
Mr Speaker and Gentlemen,

This House have concurred with the report
of the committee to whom was referred the Claim
of Andw Jackson Esq. & sent to you for your
concurrence

Which report is as follows:

Your committee to whom was referred the
remonstrance of Andw Jackson Esq are of opin-
ion, that of the money appropriated by law
in Mero district to the payment of the attorney
general, has been appropriated to the use of
the Territory that his remonstrance in part
is reasonable and ought to be granted. _ All
which is submitted   Wm Fort, C.C.

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Which being read was ordered to lie on the table till to morrow

A meſsage from the House of Representatives

Mr. Speaker and Gentlemen

This House have appointed Meſs.rs Rhea & Weakley as a committee on the part of this House to act in conjunction with such Gentlemen as you may appoint to examine all the bills that may be paſsed this ſeſsion of the General Aſsembly

Which being read the following meſsage was returned

Mr. Speaker and Gentlemen

The Senate concur with you in appointing a committee to examine the bills which may be paſsed this ſeſsion & appoint on their part

Mr. McMinn —

Mr. McMinn moved for leave and presented a bill appointing commiſsioners in addition to those already appointed in the county of Grainger &c.

Ordered that this bill be read, which being read was paſsed the first time

Mr. McMinn, from the committee appointed examine engrossed bills, reported, that they had examined the act directing the mode of electing a representative to represent this State in the Congress of the United States," and found it to be duly engrossed; on which the Speaker affixed his signature thereto in presence of the house.

Adjourned till to-morrow nine o'clock, A.M.

Thursday August 4, 1796.

Met according to adjournment.

Received from the House of Representatives a bill for laying and collecting an additional county tax, endorsed, Read the second time, amended & passed.

Ordered, that this bill be read, which being read, was amended and passed the second time.

Received also a bill to authorise the treasurer to pay Charles Robertson for cutting and opening

A road from the Warm Springs to Sherills Cove, endorsed, Read the first time & passed.

Ordered, that this bill be read which being read was rejected

Received likewise a bill to establish fairs and markets in the county of Greene, endorsed, Read the second time and passed.

Ordered, that this bill be read, which being read, was rejected.

Received also a bill making compensation to the members, clerks, and door keepers of the General Assembly, & for other purposes.

Ordered, that this bill be read, which being read, was passed the first time.

A message from the House of Representatives

Mr. Speaker and Gentlemen,

This House have appointed the following persons Justices of the Peace for the several counties hereafter mentioned; and have sent the same for your concurrence

For the county of Blount.

In the county of Carter.

For the county of Davidson. Thomas Hutch
Jno Williamson, Jno Kirkpatrick, Robert Edmiston
Thomas Talbot Wm Donelson, David Beaty, Geo
McWhirty, Adam Lynn and Ephraim McLean

For the county of Grainger =

For the county of Greene Joseph Leach. David
Campbell, Daniel Carter, Thomas Love, Adonijah
Morgan, Jno Harman, Jno Collier, & Benjn
McNutt.

For the county of Jefferson. Peter Fine
William Job.

For the county of Knox. Benjamin Gist,
William Read, & Paul Harrelson.

For the county of Montgomery:
&c

For the county of Robertson

For the county of Sullivan. Nicholas Mercer & John Williams

For the County of Sumner - Daniel Smith

For the County of g Sevier

For the county of Washington John McAllester, and Benjamin Holland

ordered that the following Message be sent to the House of Representatives

Mr Speaker and Gentlemen of the House of Representatives

The Senate concur with your appointment of Justice of the peace, except as to Adonijah Morgan, David Russell, and John Harmon, of Green County and paul Harrelton, of Knox County

The Senate Nominate the following ~~Gentlemen~~ persons as Justices of the peace

For the County of Carter, Andw Gree
For the County of Green Robert Wyly.
For the County of Knox

The Senate Nominate Peter Counts as Surveyor for the County of green — the Senate also nominate ~~For the County of~~ the following persons as Justices of the peace for the County of Hawkins John Young, Isham Reynolds George Roberts Junr Robt Campbell Peter Miller Joseph Webster, Wm McGhee and Moses Bale

On Motion Mr McMinn seconded by Mr Frazier the following Resolution was entered into — Whereas it would contribute highly to the advantage of this Government as well as to the convenience of travellers who may have occasion to pass from any of the Southern states to this state, by way of the warm springs on french broad, to have opened a road sufficient for carriages to pass with as much safety & convenience as possible; And whereas it appears that Charles Robertson hath proce to the opening and clearing a road to the foresaid Warm Springs, and reports it to be in part ompleted: Nevertheless it appearing from good authority that a nearer and better way can be obtained o the end therefore, that the experiment be made,

Resolved, that John Wilson, George Maxwell nd George Gillespie, be appointed reviewers, and they, or a majority of them, are hereby authorised nd directed to review both ways, and to report to the next General Assembly, upon oath, which will dmit of the nearest and best way with the probable expence attending the opening the waggon road, together with the value of the labour done by Mr Charles Robertson, on the way that he is now opening; for which services each of the said ~~reviewers~~ shall be allowed the sum of one dollar and seventy five cents for every day they shall necessarily be employed in the discharge of the duties required of them by this resolution

Resolved that the said reviewers shall meet at the House of Charles Robertso on Nolichuchy River on the fifteenth day of September next, or as soon thereaf as poſsible and proceed to the duties of their appointment.

Ordered, that the following meſsage be ſent to the Hou of Representatives,

Mr. Speaker and Gentlemen

We herewith ſend you a resolution which we have entered into this day, respecting the opening a road from the Warm Springs on French Broad, with which your concurrence is requested

Received from the House of Representatives, a bill appointing commiſsioners in addition to those appointed in the county Grainger, &c. endorsed, Read the first time and paſsed.

Ordered, that this bill be read, which being read was paſsed the ſecond time

Mr. McMoved for leave to withdraw for amendment the bill directing the mode of electing the ſeveral officers whose appointments are vested in the county courts, &c. which was granted

Adjourned till 3 oclock PM

Met according to adjournment—

Mr. McMin, who had leave to withdraw for amendment the bill directing the mode of electing the several officers whose appointments are vested in the county courts, &c. returned the same with the amendments which being read, was passed the second time

Recd from the Honorable William Cocke Esquire the following address

The Honorable the General Assembly of the State of Tennessee

Gentlemen

Nothing can be a higher reward for faithfull services, than the approbation of a free and Generous people. I call my country free because by their Constitution they are so.

I cannot help mentioning to you that I feel the deepest concern to see our dearest rights invaded by the [Supream]

Legislature of the Nation. — We are by them made subject to the payment of taxes while we have been unjustly deprived of Representation.

We have been deprived of the use of our property for public con=venience, without any compensation being made, and acts in the stile of Laws have paſsed declaring it highly penal to enjoy the free use thereof — such rude attacks on our constitution=al rights should be remonstrated again with freedom and firmneſs.

As you are pleased to expreſs your confidence in your senators, permit me to aſsure you that, that I have felt the greatest pleasure in being a witneſs of the unwearied deligence & patriotic exertions of my colleague, and greatly p anticipated the pleasure of serving with a man so devoted to the public Good

I hope our opponants in the senate of the united states will be unable to find another Quibble whereby to deprive us of an equal Shear of the represen=tation that shall make the laws by which we are to be governed

I am with great respect
Knoxville, your obedient servant
august 3-1796 — William Cocke

Adjourned till to-morrow 9 o'clock A.M.

Friday August 5, 1796.

Met according to adjournment.

Received from the House of Representatives a bill for laying an additional county tax, endorsed "Read the third time and passed."

Ordered that this bill be read, which being read, on motion of Mr. McClin the following message was ordered to be sent to the House of Representatives —

viz: Speaker and Gentlemen

The Senate have read for the third and last ti
the bill for laying an additional county tax, an
have amended it by adding to the last section, afte
the words, "Davidson, Montgomery, Sumner, Robertson,
and Washington," the words "and Hawkins;" and to st
out the word "and" from before the word "Washingto
If you should agree to this amendment, you will please
send two of your members to see it made

Received from the House of Representatives, a bill making compensation to the members, clerks and Door keepers of the General Assembly, and for other purposes indorsed, "read the second time and passed"

Ordered, that this bill be read, which being read was, on motion of Mr. McMinn withdrawn for amendment

Received from the House of Representatives, the following message:

Mr. Speaker and Gentlemen

This House concur with your message with respect to the addition of Hawkins & striking out the word and before Washington, and have sent Mr Rhea and Mr Gaſs to see the amendments made

Which being read, the bill for laying an additional county tax was taken up, paſsed the third time and ordered to be engroſsed

Ordered that the following Meſsage be sent to the House of Representatives

Mr Speaker and gentlemen of the House of Representatives,

The Senate have received from you the bill, "To amend the law respecting the revenue and the treasury department." It appears by a number of loose and detached papers (enclosed in it) that they were intended as amendments; but the endorsement on the bill says, "August 4, 1796. Read the third & last time and paſsed. L Grymes C. H. R." The Senate wish you to explain whether this bill was amended or not, and if so, in what manner, as there appears no order in the amendments, by which they can arrange them.

A meſsage from the House of Representatives

Mr Speaker and Gentlemen,

This House propose to appoint a committee to draw an estimate of the expenditures of the present General Aſsembly, and report the same; and nominate on the part of this House Messrs Weakley, Henderson, & and Foort, to act with such gentlemen as you may proper to add.

Which being read, the following message was ordered to be returned:

Mr Speaker and Gentlemen;

The Senate concur with you in appointing a committee to draw up an estimate of the expenditures of the present General Assembly, and name on our part Messrs. McMin & Lewis. The Senate [illegible] propose th the same committee be instructed to contract with the Printer for the printing the acts and journals of this session.

Adjourned till 3 o'clock, P.M.

Met according to adjournment.

Mr. McMin from the committee appointed to examine engrossed bills reported, that the act for laying and collecting an additional county tax, was duly engrossed, whereupon the Speaker affixed his signature thereto in the presence of the House.

Received from the House of Representatives a bill directing the mode of electing the ſeveral officers, whose appointments are vested in the county courts, &c. endorsed, Read the ſecond time, amended and paſsed.

Ordered, that this bill be read, which being read, was paſsed the third time...

A Meſsage from the House of Representatives,

Mr. Speaker and Gentlemen,

This House concur with you that the Committee appointed to estimate the expenditures, ſhall also contract with the Printer as you observe.

Adjourned till to morrow 10 o'clock A.M.

Saturday, August 6, 1796

Met according to adjournment.

Received from the House of Representatives a bill providing for the election of electors to

elect a President and Vice President of the Un
States endorsed, Read the third time amended a
passed.

Ordered, that this bill be read, which being

On motion of Mr. McMin, the following message was
sent to the House of Representatives:

Mr. Speaker and Gentlemen, of the Hou
of Representatives

The Senate having read for the thi
and last time the bill providing for the elect
electors of a president and vice president
of the United States have amended it as follow
In the 8th Section, after the words "to and
from" they have added the words, "the said
place of election," and to the bottom of the sa
Section, have added the following proviso:
"provided nevertheless, that nothing herein
contained shall be so construed as to make any
compensation to the electors herein named
for electing the electors of president &
vice president of the united States"

The Senate have added the following as
the tenth and last section of said Bill

"Section 10th Be it enacted, that an act
entitled an act providing for the

appointment of electors to elect a president & Vice president of the united States, passed at an assembly begun and held at Knoxville on the 28th day of march last past be & the same is hereby repealed and declared ~~to~~ void" If you ~~a~~ should agree to these amendments you will please send two of your members to see them made

A Message from the House of Representatives

Mr Speaker and Gentlemen of the senate

This House have herewith sent you the Journals of this House in order to shew you their proceedings, on the act by you refered to

A message from the House of Representatives

Mr Speaker and Gentlemen of the Senate

The House of representatives propose that a committee be appointed for the purpose of drawing up a ~~R~~ Remonstrance, to be presented to Congress by the Senators of this State in the Congress of the united States, and nominate on the part of this House Messrs Rhea, Outlaw, Nevile and Lewis to act with such gentlemen as you may think proper to add

Which being read the following message was ordered to be returned

Mr Speaker and Gentlemen

The Senate cannot concur with your ~~[illegible]~~ proposition to appoint a commit=tee to draw up a remonstrance to Congreſs untill they are informed of the purport the

~~St~~ A meſsage from the House of Representatives

Mr Speaker and Gentlemen of the Senat

The House do concur in nomination of Justices fo Greene county, as to Robert Wyly, in room of Adonijah Morgan; but do insist for your concurrence to our nomination of David Ruſsell, as a Justice of Greene county; also of John Harmon— This House do not concur in the nomination of a Surveyor for said county:— Likewise is sent to you a petition from Greene county respecting David Ruſsell, for your consideration.— This House concur with your nomination for Hawkins county, and also nominate Jno Hogan a Justice for Sumner county.

Which being read the following meſsage was returned.

Mr Speaker & Gentlemen,

The Senate concur with your nomination of David Russell, as a Justice of the Peace for Greene county.

Received from the House of Representatives the following message.

Mr Speaker and Gentlemen,

This House concur with your message respecting the amendments by you proposed to the bill providing for the electors to elect a President and Vice President of the United States, and appoint on their part Messrs Blair & Newell.

Which being read, the bill providing for the ~~of~~ election ~~appointment~~ of electors to elect a President of the United States, was taken up, amended, passed the third time and ordered to be engrossed

Received from the House of Representatives, a bill making compensation to the members clerks and door keepers of the general assembly and for other purposes, endorsed, Read the ſecond time, amended and paſsed.

Ordered, that this bill be read, which being was amended and paſsed the ſecond time.

Adjourned till 3 o'clock P.M.

MET according to adjournment.

A meſsage from the House of Representatives

Mr Speaker and Gentlemen,

This House do not concur with your meſs reſpecting the road leading from the Warm Spring they considering the resolve paſs at the last ſeſsion, as still in force, and ſufficiently declaring the opinion of the legislature on that ſubjec

Mr McMin, from the committee appointed to examine engroſsed bills, reported that the act directing the mode of electing the ſevera officers whose appointments are by the constitution vested in the county courts of pleas & quarter ſeſsions, reported the same to be w duly engroſsed, whereupon, the Speaker affixed his ſignature thereto in presence of the House

A meſsage from the House of Representatives

Mr Speaker and Gentlemen

The purport of the remonstrance to be drawn up by the committee, and to be presented to Congreſs, if approved of by the legislature, is respecting the lands below the line of the treaty of Holston, and to which the Indian title is not extinguished, and other grievances.

A meſsage from the House of Representatives

Mr Speaker and Gentlemen

Herewith is sent to you the report of the committee to whom was referred the communications from the Governor. This House have concurred therewith, & have nominated Mess. Looney, Clark, & Beck to be a committee with such gentlemen as you shall appoint to wait on the Governor and present the same to him

Knoxville 30th July 1798

Gentlemen of the Senate, and of the House of Representatives

The ſhort time in which I conceived it was neceſsarily my duty to convene the legislature compelled me to call you together on so sh

a notice, in the first instance, it was neceſsary
give all the time the emergency of the occasion
would admit of; and in the second, from a ci
cumstance, that the election to be held for represen
tatives was approaching so near at hand, made i
neceſsary, as I conceived, for the aſsembly to have
in their power by a timely meeting (should they
in their wisdom deem it proper) to make an
alteration in the act directing the mode of
electing representatives to represent this State in
the Congreſs of the United States, before the day
of election should arrive, as directed in the
aforesaid act; otherwise it might be attended
with disputes and contentions of a disagreeable
nature; for by a late act of Congreſs the intended number of our representatives is diminish
of course it proportionally lessons our number
of electors for President and Vice President

of the United States. — Thus, such a derangement will neceſsarily require an alteration in our acts, paſsed for such purposes.

Our Senators not being recognized in the Senate of the United States, is another matter for your consideration and attention; and for your more ample information, the several acts and communications accompanying this addreſs, will elucidate unto you the propriety of my calling the aſsembly together at this time.

I hope I may be permitted to observe, that it is of importance, and conducive to public happineſs to arrange our acts conformably with those of Congreſs, so far as they shall respect this State —

The foregoing are the reasons why I have thought proper to convene the aſsembly in seſsion on the present day; and I make no doubt you will, thro' your paternal care, wisdom, and patriotic deliberations, adopt such measures as will tend to promote the public interest and general utility of the State.

I have the pleasure of announcing to you, Gentlemen, the admission of the State of Tenne into the federal union, a circumstance pregnan with every flattering prospect of peace, happin and opulence to our infant State. The period i at length arrived, when the people of the South Western Territory, may enjoy all the blessings and liberties of a free and independent republic.

Permit me to wish you public, domestic & individual happiness, while I have the honor to be

Very respectfully

Your devoted and obedient Servant

John Sevier

Knoxville, 2nd August, 1796

Gentlemen of Senate and of the House of Representatives

at your last ſeſsion, by a resolve of your
norable body, it appears and carries with it an
ear; that the road proposed to be made and clean
d out from the Warm Springs acroſs the moun
ain onto (What is called) Sherrills Cove, as proposed
y the Aſsembly of South Carolina, met your appro-
ation ſo far, that when your finances was ſuffici-
nt to enable you to prosecute ſuch a task you
Would willingly encourage and promote the ſame

It appears, that from a confidence reposed in the Legislature a number of persons have contributed considerable ſums in order to have the aforesaid road cleared and opened ſufficient for waggons, with only four horses to paſs with a load of fifteen hundred weight.

In consequence of the monies ſo ſubſcribed, & confidence in the general aſsembly, Mr Charles Robertson, of, Greene county has undertaken to cut and clear out the [illegible] for the ſum of one

Thousand Dollars to be finished on or before the first Day of October next.

I am well informed that Mr Robertson has made great progress in clearing out the same, and in a short time will have the road fully completed.

In order to inform the assembly more fully the condition on which Mr Robertson is to open the road, I have sent for your information his bond for the performance thereof.

I beg leave to observe that it is generally expected that the Assembly will reimburse unto the subscribers the monies they have contributed to the purpose of cutting and clearing the said Road, whenever they find their finances in a condition so to do. I flatter myself that your honorable body discovers the greatest utility

Such a road would be of ~~to the~~ public at large
The utility such a road would be of to the public
The great tendency it will have to induce emigrants into the State, besides opening an easy and ready Communication with the sea ports and trading towns in the neighbouring States; whereby many of the productions of this Country can be transported to market with convenience

Permit me to suggest that it will be attended with reciprocal, great and mutual advantages between this and several neighbouring States, and as such is the case, I have no doubt you in your wisdom and prudence will afford such aid and encouragement as may be adequate to a completion of the aforesaid road, And a reimbursement to those public spirited persons Who have so liberally afforded their timely assistance to so laudable a purpose.

I have the honor to be,

Very respectfully,

Your obedient Servant,

John Sevier

Pl.1

Your committee to whom was referred the communication from his Excellency the Governor, report that the following address be presented to him —

To his Excellency John Sevier, Esquire,

Governor of the State of Tennessee

Sir – We are fully sensible that the important objects by you laid before this General Assembly, made it necessary for you to convene the legislature at this time.

We rejoice with you in the event of this State being firmly admitted into the federal union, and our minds are filled with the most pleasing sensations, when we reflect on the prosperity and political happineſs to which we view it as a certain prelude. Be aſsured, Sir, it will be our first and greatest care to adopt such measures as will promote the true interest of this State, as connected with American union

With respect to our representation in the Senate of the United States in particular, we flatter ourselves such steps have been taken that no reason now remains sufficient to justify that body in refusing any longer to recognize our Senators.

We view it as eſsentially neceſsary to the preservation of peace and harmony with the Indian tribes, that the constitutional treaties and laws should be duly observed; and we have the fullest confidence that the executive of this State will take proper measure

to enforce their due execution

Joseph McMinn Ch.

Which being read was concurred with.

Received from the House of Representatives a bill amending the laws respecting the revenue the treasury departments, endorsed, Aug. 4, 1796. Read the third and last time and passed

Mr. Doherty moved for leave to withdraw for amendment the bill to amend the laws respecting the revenue & the treasury departments, Which was gran

Ordered that the following message be sent to the House of Representatives.

Mr. Speaker & Gentlemen

The Senate propose to meet you in conference this evening at half past seven o'clock, in your chamber to take under consideration the bill respecting the revenue & the treasury department.

To this message the following answer was received

Mr. Speaker and Gentlemen of the Senate

This House cannot concur with you respecting a conference.

Adjourned till Monday. 9 o'clock A. M

Monday, August 8, 1796.

Met according to adjournment

On motion ordered, that the following meſsage be sent to the House of Representatives

Mr Speaker and Gentlemen

The Senate concur with you in appointing a committee to draw up a remonstrance to be presented to Congreſs, and name on their part Meſs. White and Doherty

Received from House of Representatives

A Bill making compensation to the Members Clerks and door keepers of the General aſsembly & for other purposes, endorsed read the third time amended and paſs,

Ordered that this bill be read which being read On motion Mr. McMinn

ordered that the following meſsage be sent to the House of Representatives

Mr Speaker and Gentlemen

The Senate have read for the third and laſt time the bill making compensation to the members clerks and door keepers of the General Assembly &c and have ame[illegible]ed by filling up the blank, allowing George Roulstone eight Dollars for Stationary and to Nath'l B. Buckingham eight Dollars for engrossing also to Thomas Bounds, f[illegible] Door keeping one Dollar and seventy five cents per day;

The Senate have further amended said Bill by striking out the last section thereof

Should you agree to these amendments you will please send two of your members to see them made.

To the foregoing message the following answer was received.

Mr. Speaker and Gentlemen, of the Senate

This House concur with your message respecting the clerks and door keepers and amendment to the bill containing the same, & nominate Mr Rhea & Mr Cooke to see the said amendment made.

Which being read, the bill making compensation to the members, clerks and door keepers the general a[illegible]mbly and for other purpos was read the third time, amended, passed, and ordered to be engrossed

Mr. Doherty, ~~who had leave to with~~ draw for amendment the bill to amend the law respecting the revenue & the treasury departments, returned the same, which being read the third time, was on motion rejected.

Mr. Miller from the committee appointed to examine engrossed bills reported, that the act ~~to amend~~ ~~an act~~ providing for the election of electors to elect a President & Vice President of the United States, and the act making compensation to the members clerks and door keepers of the General assembly and for other purposes, ~~reported~~ ~~that~~ the same were duly engrossed, ~~to~~ which the Speaker in the presence of the House affixed his signature.

A message from the House of Representatives;

Mr Speaker and Gentlemen,

This House propose that the committee whom were referred to draft and report the exp of the present Session of assembly make up the estimate to the end of this day and no longer.

To which the following answer was returned,

Mr Speaker and Gentlemen,

The Senate agree that the committee make up the estimate of the expences of this assembly to this day inclusive, as by You proposed

Recd from the House of Representatives the following Message

Mr Speaker and Gentlemen of the Se

This House propose the following resolve, which is sent to you for your concurrence "Resolved. that a copy of the Journals of each House — Respecting the Appointment of Justices of the peace be made out by the Clerks reſpectively be ſigned by the Speakers and sent to the Governor to Iſsue Commiſsions

also the following resolution

Resolved that George Roulstone print five hundred copies of the Journals of this present ſeſsion of the General aſsembly to be destributed as directed by a resolve of the Last ſeſsion of the General aſsembly

~~Also the following~~

~~M~~ Ordered that the following meſsage be sent to the House of representatives

Mr Speaker and Gentlemen of the House of Representatives

The Senate concur with the resolution entered into by you respecting the commiſsion of the magistrates, but disagree ~~with~~ to the one respecting the printing five hundred Journals and offer in lieu thereof the following

Resolved that George Roulstone do print five hundred copies of the Laws, and one hundred copies of the Journals of each house of this aſsembly and diſtribute them as directed by a resolve of the laſt aſsembly

To the foregoing the following answer wa ceived.

Mr. Speaker and Gentlemen

This House concur with your message respecting the printing the acts and journals of this Session of assembly.

On motion of Mr. Lewis, seconded by Mr Rutledge, the following message was sent to the House of Representatives;

Mr. Speaker and Gentlemen

The Senate propose that a joint committee wait on his Excellency the Governor & inform him that the General Assembly propose adjourning this evening *sine die*, having finished the public business for which they were convened – and name on their part Mr. Lewis, Rec^d from the House of Representatives the following message

Mr Speaker and Gentlemen of the Senate

This House propose to add Alexander Greer and Samuel Williams to the Nomination of Justices of the peace for the County of Carter

A message from the House of Representatives

Mr Speaker and Gentlemen of the Senate

This House concur with you in appointing a committee to wait on on the Governor and Nominate on their part Messrs Gass and Cocke for that purpose

Mr. McMinn from the committee appointed to contract with the printer made the following report.

Your committee appointed to contract with the printer report, that they have agreed with him to do

the printing of this Seſsion on the
terms as agreed upon for the print
of the last Seſsion –

On motion ordered, that the fol
lowing meſsage be sent to the Hou
of Representatives.

Mr Speaker and Gentlemen of the Hou
of Representatives

The Senate concur with you in
nomination of Alexander Greer, &
Samuel Williams as Justices of the
peace for the County of Carter.

The Senate send you the report
of the committee appointed to –
contract with the printer ~~which is~~
~~sent to you~~ for your Concurrance

Recd the following Meſsage from the House of Repre-sentatives Mr Speaker and Gentlemen of the Senate

This House concur with your meſsage respecting the Remonstrance to Congreſs

Received also the following meſsage

This House propose to reſcind the resolution entered into relative to adjourning sine die; and propose to meet to morrow morning at six o'clock

To this meſsage the following answer was returned.

Mr Speaker and Gentlemen

The Senate agree to adjourn till to morrow six o'clock a m.

Recd from the House of Representatives the following Meſsage

Mr Speaker and Gentlemen of the Senate

This House have proceeded to amend the Remonstrance to be Laid before Congreſs, and herewith Send their amendments to you for concurrance

Tuesday August 9, 1796.

Met according to adjournment

Mr. White from the committee appointed to draw a remonstrance to be presented to Congreſs, reporte the following

To the Honorable the Congreſ
the United States of America.

The addreſs and remonstrance of the General Aſsembly of the State of Tenneſ on behalf of the citizens thereof, setteth forth,

1st It appears by an act of Congreſs ratified in June 1796, that the State of Tenneſsee is admitted into the federal union, on an equal footing with any of the original States, in all respects whatever.

2. At the beginning of the late American Revolution the United States guaranteed to

each State its Sovereignty according to the chartered limits thereof; and by the treaty of Peace one in the year 1783, the King of Great Bri tain acknowledged the United States to be fre Sovereign & independent and for himself his heirs and Successors, relinquished all claims to the government, ~~sovereign and independent~~, ~~and for himself his~~ propriety, and territorial rights of the same, and every part thereof —

It is believed, that this relinquishment operated to each state respectively, according to the chartered limits thereof, as to the right of soil and sovereignty, and in the said treaty no provision for, or reservation of any Indian claim are made.

3 In one thousand seven hundred and seventy six, North Carolina made a bill of rights, in the last section of which is contained a declaration of the sovereignty, right and pro-

perty of territory, as limited and described
the charter of King Charles, with a provis
for any nation or nations of Indians, at the
cretion of the legislature

4. Acting on the principles contained in
first and third sections of this address (confirmed
those in the second section thereof); North Ca
lina in the year 1777, opened a land office,
the sale of lands within the limits thereof,
appears from the preamble of the said act
operate as extensively as the said limits, as
set forth in the third section thereof, entries
land being to be made with the entry takers
every county, within the State for claims for
lands laying in such county, except as there
excepted. In the year 1777, by an act of
legislature, the county of Washington was er
and the limits thereof described containing all

lands within the chartered limits of the State, laying between the Apalachian mountains, and the river Miſsiſsippi (Which is now the ſtate of Tenneſsee).
Under this act, the land office for the ſale of land first began its operations, in the ſaid described County.

5th In the year 1778 an act was paſsed by the Legislature of the ſtate of North Carolina, in the first ſection whereof a line is mentioned and described. It is believed, that by this act and line as described in the ſaid ſection no relinquishment of right of territory is made; but that the ſaid line was declared for certain political reasons of the ſaid ſtate.

6. In the year 1783, paſsed another act for the ſale of lands. This act revives and continues the first act except what is thereby repealed, & in its object embraces the limits described in the

act erecting the county of Washington before allu to

6th In consequence of this and other laws respec Sales of land by entries made in land offices & warrants issued thereon, grants have been issued in part (and warrants yet to lay) for lands lay within the original limits of the county of W ington.

7. In the year 1789, North Carolina a cession of Western lands to Congress for th use of the United States, under certain express conditions and subject thereto as contained in the act cession for that purpose; and the contract was sol executed by deed on the part of North Carolina, and accepted on the part of Congress, behalf of the United States; part of the conditions of said contract are reported by a comm at the last session of Congress; and the sa act provides, that the Governor for the time

being, shall and is required to perfect such titles in such manner as if the act had never been passed.

8th The constitution of the United States confirms all engagements and contracts entered into by the United States before the adoption thereof —

9th Under existing laws the citizens and grantees of land laying within the said original limits of Washington county, expected they were secure, as to the right in fee and right of possessing the lands by them purchased and honestly paid for.

9 In the year 1785, the treaty of Hopewell was made with the Cherokee Indians by the United States but the agent of North Carolina protested against the same. In the year 1791, the treaty of Holston was made between the United States and the Cherokee Indians, describing a line as therein mentioned; and by an act of Congress, passed

at the last Seſsion, fines, forfeitures and imprisonment are enacted against claimants and grantees of land laying beyond said line, for doing things in ſaid act mentioned

10. This general aſsembly believe that the enterers and grantees of lands lying over the ſaid line are much injured by the operation of the ſaid last mentioned treaty, and are in poſsibility, liable to be much more oppreſsed by the operation of the ſaid last mentioned act of Congreſs, being thereby altogether prohibited from doing any act of ownership on lands by them long time paſt bona fide contracted for & paid, for which in part grants have iſsued under the faith of North Carolina and the United States

11. It is believed, that the Indians have no fee ſimple in the lands ~~alluded~~ alluded to, ~~the~~ otherwise, the very deed made by North Carolina

to the United States would be void. If the Indians have any kind of claim to the land in question, it is believed to be of the lowest kind of tenancy, namely, that of tenants at will.

12. This legislature ever willing to support the constitution and laws of the United States made pursuant thereto, being impressed with a sense of the injury and grievances sustained by the citizens in consequence of the line of the said treaty of Holston, and the act before mentioned, do earnestly request, that the prohibitions preventing them to possess the lands before alluded to, may be removed; that provision by law be made for extinguishing the Indian claim to said lands, that the owners and grantees of said lands may enter upon, occupy and possess the same in as full and ample ~~a~~ manner and have every right

privilege and advantage which they are entitled to by constitutional laws; which Justice being done to the citizens of this State, the officers of govern ment will be enabled to execute the constitutional laws of the United States with ease and convenience

~~On motion of Mr. McMin, seconded by M Rutledge the following reasons for rejecting the b entitled a bill to amend the law respecting the revenue & the treasury department, were orderd to be inserted on the Journal~~

~~The bill to amend the law respecting the revenue and the treasury department being read, the third and last time on motion, was rejected — Whereupon, we, the undersigned, having a desire to express to the publi the principles on which it was rejected,~~ the following viz

On motion the following message was ordered to be sent to the House of Representatives

Mr. Speaker and Gentlemen

The business of the session being ended the Senate proposes adjourning Immediately

A message from the House of Representatives,

Mr. Speaker and Gentlemen

This House propose the following resolution, which is sent to you for your concurrence

Resolved, that it shall be a duty of the Senators and representatives of this State in the Congress of the United States, to lay a remonstrance of this Legislature before Congress and endeavour that the object thereof be obtained.

To which the following message was returned

Mr. Speaker and Gentlemen

The Senate concur with you in the resolution by you entered into respecting the

Remonstrance to be presented to Congreſs—

A meſsage from the House of Representatives:

Mr Speaker and Gentlemen

This House concur with your meſsage proposing an adjournment sine die

On motion of Mr Lewis, seconded by Mr Tipton, Resolved unanimously that the thanks of this House be presented to the Hon Jas Winchester, for his aſsiduity and attention to public busineſs as Speaker thereof

On motion the house adjourned sine die

James Winchester
Speaker of the Senate

By order,
G Roulstone, Clerk of the Senate

Estimate of the pay of the members Clerks and Door keepers of the General assembly began and held at Kno on the 30th day July 1796

	No days	pay &c	day	No miles	pay &c	day	
Alexander Kelly	7	1	75	25	1	75	14
Joseph Black	10	1	75	30	1	75	19
Little P Sims	8	1	75	36	1	75	16
Joel Lewis	10	1	75	400	1	75	45
Robert Weakly	10	1	75	400	1	75	45
Seth Lewis	10	1	75	400	1	75	45
Samuel Frazier	10	1	75	160	1	75	28
Joseph Conway	10	1	75	116	1	75	25
John Gass	10	1	75	150	1	75	28
Joseph McMinn	10	1	75	160	1	75	28
Thomas Henderson	10	1	75	100	1	75	24
John Cocke	6	1	75	70	1	75	15
George Doherty	10	1	75	60	1	75	21
Alexander Outlaw	10	1	75	100	1	75	24
Adam Peck	10	1	75	56	1	75	21
James White	10	1	75	—	1	75	17
John Menefee	10	1	75	—	1	75	17
John Crawford	10	1	75	—	1	75	17
George Rutledge	10	1	75	240	1	75	34
John Rhea	10	1	75	240	1	75	34
David Looney	10	1	75	240	1	75	34

James Winchester — —	10	1	75	330	1	75	40	60
Stephen Cantrell — —	10	1	75	370	1	75	43	40
William Montgomery — —	10	1	75	360	1	75	42	70
John Clark — — — —	10	1	75	60	1	75	21	70
Spencer Clark — — —	10	1	75	60	1	75	21	70
Samuel Newell — — —	10	1	75	24	1	75	19	18
James Ford — — — —	10	1	75	440	1	75	48	30
William Fort — — —	10	1	75	440	1	75	48	30
John Tipton — — — —	10	1	75	218	1	75	32	76
James ~~Stuart~~ — —	7	1	75	200	1	75	26	25
John Blair — — — —	10	1	75	186	1	75	30	52
George Roulstone C. S. — —	10	2	50	—	—	—	25	
Nathl B. Buckingham A. C.	10	1	75	—	—	—	17	50
Geo Roulstone for Stationary	—	—	—	—	—	—	8	—
N. B. Buckingham for engrossing	—		—	—	—	—	8	
Ludwell Grymes C. H. R. — —	10	2	50	—	—	—	25	—
John Hillsman A. [illegible] to Ditto	8	1	75	—	—	—	14	—
Ludwell Grymes for Stationary	—	—	—	—	—	—	4	
John Hillsman for Ditto — —	—	—	—	—	—	—	4	
Thos. Bound Door keeper — —	10	1	75	—	—	—	17	50
John Rhea Ditto — — — —	10	1	75	—	—	—	17	50
John Rhea for Contingencies	—	—	—	—	—	—	4	—